

Docket No.: TACHYON.039A

Customer No.: 20,995

AMENDMENT / RESPONSE TRANSMITTAL

Applicant : Carneal et al.
 Appl. No. : 09/407,645
 Filed : September 28, 1999
 For : METHOD AND SYSTEM FOR
 FREQUENCY SPECTRUM RESOURCE
 ALLOCATION
 Examiner : Hsu, Alpus

Group Art Unit 2665

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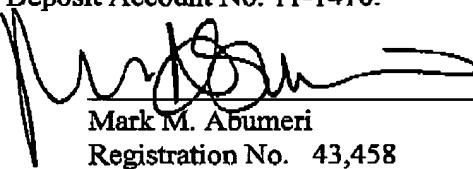
Mark M. Abumeri Reg. No. 43,458

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Request to Withdraw Notice of Abandonment in 2 pages.
- (X) Copy of the Response to Office Action dated March 8, 2004 in 8 pages.
- (X) Copy of the Return Postcard listing the Response to Office Action dates March 8, 2004, stamped as received by the OIPE on March 11, 2004.
- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.



Mark M. Abumeri
 Registration No. 43,458
 Attorney of Record
 Customer No. 20,995
 (619) 235-8550

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UTILITY/DESIGN PATENT

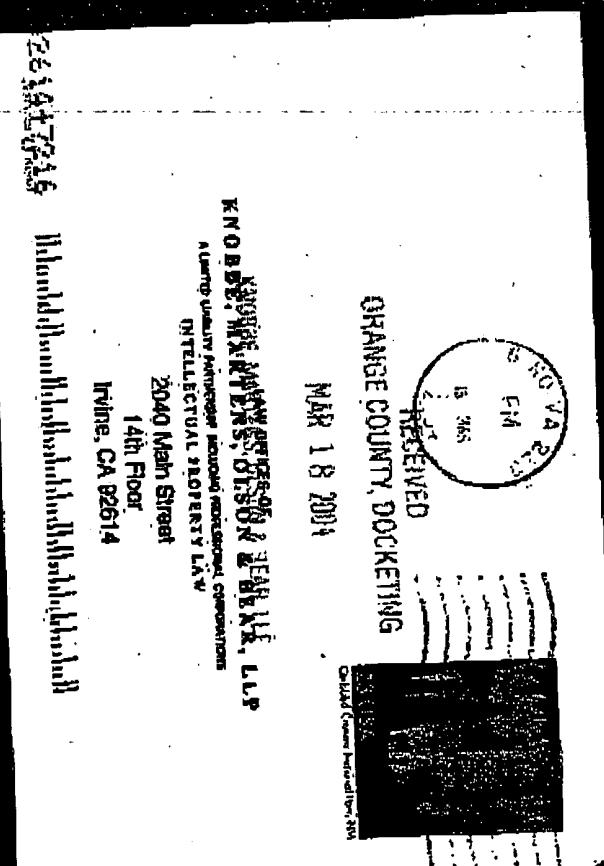
Date: 3-8-04
Date of Action: 12-8-03

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Docket #: FACTORY 04-0304 Application: PersonalizedTitle: Method of Manufacturing PersonalizedApp No.: 09/407,745 Effect: 03/03/04VERIFIED BY: Asst: J. M.Aut: J. M.

Transmittal Letter Req for Drawing Changes/Corrections
 Amendment in 8 Pgs Sheets of RED-Lined Drawings
 _____ Meets Extension Requested Notice of Appeal in Duplicate
 _____ Information Disclosure Statement, with Application 0304 Pgs in Triplicate
 PTO-1449 w/ Ref(s) Request for Oral Hearing
 Terminal Disclaimer in 8 Pgs 3 Checks for Filing Fees
 Sequence Submission Statement _____
 Sequence Listing in 8 Pgs _____
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TO: Examiner Alpus Hsu
 FIRM: USPTO
 FACSIMILE NO.: 703-872-9306
 OUR REF.: TACHYON.039A
 APPLICATION NO. 09/407,645
 FROM: Mark M. Abumeri
 OPERATOR: Connie Gelbach
 DATE: September 30, 2004

NO. OF PAGES: **15** (incl. cover sheet)

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Docket No.: TACHYON.039A

SEP 30 2004

Customer No.: 20,995

AMENDMENT / RESPONSE TRANSMITTAL

Applicant : Carneal et al.
 App. No. : 09/407,645
 Filed : September 28, 1999
 For : METHOD AND SYSTEM
 FOR FREQUENCY
 SPECTRUM RESOURCE
 ALLOCATION
 Examiner : Hsu, Alpus
 Art Unit : 2665

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

March 8, 2004

(Date)

Mark M. Abumeri, Reg. No. 43,458

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

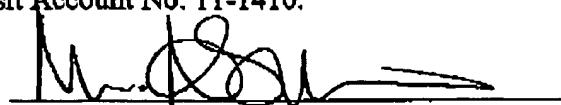
Transmitted herewith for filing in the above-identified application are the following enclosures:

Response to Office Action in 8 pages.

The fee has been calculated as shown below:

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Total Claims	55 - 68 = 0	1202 (\$18)	0 x 18 =	\$0
Independent Claims	9 - 12 = 0	1201 (\$86)	0 x 86 =	\$0
Multiple Claim		1203 (\$280)		\$0
			TOTAL FEE DUE	\$0

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 Mark M. Abumeri
 Registration No. 43,458
 Attorney of Record
 Customer No. 20,995
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TACHYON.039A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Carneal et al.
Appl. No. : 09/407,645
Filed : September 28, 1999
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FREQUENCY SPECTRUM RESOURCE
ALLOCATION
Examiner : Hsu, Alpus

Group Art Unit 2665

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September 30, 2004

Mark M. Admire Reg. No. 43,458

REQUEST TO WITHDRAW NOTICE OF ABANDONMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Examiner Alpus Hsu

Dear Sir:

Applicant has received the September 2, 2004 Notice of Abandonment for the above-identified patent application. For the reasons set forth below, Applicant respectfully submits that the Notice of Abandonment was generated in error, and Applicant respectfully requests that the Notice of Abandonment be withdrawn.

The Patent Office mailed an Office Action on December 8, 2003. The due date for a response to the Office Action was March 8, 2004. By submitting a request for extension of time and payment of the appropriate extension fees, the due date was extendable until June 8, 2004.

On March 8, 2004, Applicant mailed a "Response to Office Action" (hereinafter "the Amendment"). Applicant is including a copy of the Amendment with this Request.

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Knobbe Martens Olson & Bear LLP

The Amendment was submitted by United States Postal Service as first class mail on March 8, 2004, as certified on the Amendment.

The Amendment was accompanied by a return postcard that listed the items being submitted. The return postcard was stamped as received on March 11, 2004 by the OIPE in the Patent and Trademark Office. Applicant is including a copy of the stamped return postcard stamped by OIPE.

The enclosed evidence shows that the Amendment was timely filed prior to the deadline for response. In view of the timely filing of the Amendment, the Notice of Abandonment was generated in error.

Applicant respectfully requests that the September 2, 2004 Notice of Abandonment be withdrawn. Applicant further requests that the Amendment be considered by the Examiner.

No fees are believed to be due for this Request; however, please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

If there is any impediment to the prompt withdrawal of the Notice of Abandonment, please call the undersigned attorney of record the telephone number below so that any remaining issues can be promptly resolved.

Respectfully submitted,
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: September 30, 2004

By:



Mark M. Abumeri
Reg. No. 43,458
Attorney of Record
Customer No. 20,995
(619) 235-8550